



Office of the Clerk
**UNITED STATES COURT of APPEALS for the NINTH
CIRCUIT**
95 Seventh Street, Post Office Box 193939
San Francisco, California 94119-3939



Cathy A. Catterson, Clerk of Court

(415) 556-9800

Effective January 1, 2000

AMENDMENTS to the GENERAL ORDERS

5.5. Procedure After Supplemental Briefing

d. Majority Favoring En Banc Consideration

If a majority of the non-recused active judges votes in favor of en banc consideration, the Chief Judge shall enter an order **taking the case en banc pursuant to Circuit Rule 35-3. The three-judge panel opinion shall not be cited as precedent by or to this court or any district court of the Ninth Circuit, except to the extent adopted by the en banc court.**

6.5. Screening Calendars

(c) Oral Screening Panel Presentations

(i) Disposition of Cases

The staff attorneys shall prepare proposed memorandum dispositions for the cases that they place on the oral screening calendars. An authoring judge will be designated for each case presented to the oral screening panel, and the writing assignment will rotate among the three panel members.

The staff attorneys shall orally present the proposed dispositions to the screening panels at periodically scheduled sessions. After the staff attorneys have presented each case, the panel members discuss the proposed disposition and make any necessary revisions. **If the three panel members unanimously agree with the disposition, the designated authoring judge shall direct the presenting attorney to certify the proposed disposition for filing pursuant to G.O. 6.9.**

6.9. Certification of Orders & Memorandum Dispositions

A judge may direct the Clerk, a designated deputy clerk, a **staff attorney**, a circuit court mediator, or an appellate commissioner to file an order **or a memorandum disposition** that has been approved by the judge or judges whose name(s) appears therein. In appropriate circumstances, the judge may send a written confirmation to the Clerk following such certification. Separate written confirmation is not necessary when the judge transmits an order to the Clerk by electronic mail.

Effective 1/1/2000